

The opinion in support of the decision being entered today is not binding precedent of the Board

Filed by: Trial Section Merits Panel
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Board of Patent Appeals and Interferences, USPTO
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Paper No. 49 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JAMES E. MARTIN, ROBERT C. HUGHES,
and ROBERT A. ANDERSON

Junior Party
(Patent No. 6,194,769)¹

v.

STEVEN SUNSHINE and BETH C. MUÑOZ

Senior Party
(Application 10/083,984)²

Patent Interference No. 105,221

Before SCHAFER, LEE and NAGUMO, Administrative Patent Judges.
LEE, Administrative Patent Judge.

Judgment – Bd. Rule 127(b)

¹ Based on Application 09/323,172, filed May 27, 1999. The real party in interest is Sandia Corporation.

² Filed February 27, 2002. Accorded the benefit of Application 09/600,346, filed November 9, 2000; Application 09/201,999, filed December 1, 1998; and PCT application PCT/US99/28282, filed November 30, 1999. The real party in interest is Smiths Detection-Pasadena, Inc.



Interference No. 105,221
Martin v. Sunshine

Senior party Sunshine has requested entry of adverse judgment (Paper No. 45). The request is **granted**. It is

ORDERED that judgment as to the subject matter of Count 1 is entered against the senior party STEVEN SUNSHINE and BETH C. MUNOZ;

FURTHER ORDERED that the senior party STEVEN SUNSHINE and BETH C. MUNOZ is not entitled to its application claims 48-50 which correspond to Count 1;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205;

FURTHER ORDERED that a copy of this judgment be filed in the respective involved application or patent of the parties.

Interference No. 105,221
Martin v. Sunshine

By Facsimile:

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INTERFERENCE DIGEST

Interference No. 105,221

Paper No. 14

Name: Steven Sunshine

Serial No.: 10/083,984

Patent No.

Title: Aligned particle based sensor elements

Filed: 02/27/02

Interference with Martin et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Adverse Dated, 3-18-05

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.